

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

JOHN HUBER, in his individual capacity
and as Personal Representative of the
ESTATE OF ANTHONY HUBER,

Plaintiff,

Case No. 21-CV-969

v.

DAVID G. BETH, in his individual and
official capacity as Kenosha County Sheriff,
DANIEL G. MISKINIS, in his individual
and official capacity as the former Chief of
Police for the Kenosha Police Department,
ERIC LARSEN, in his official capacity as
the acting Chief of Police for the Kenosha
Police Department, JOHN DOE POLICE
OFFICERS of the Kenosha Police
Department, Kenosha County Sheriff's
Department, Waukesha County Sheriff's
Department, Racine County Sheriff's
Department, Sauk County Sheriff's
Department, Walworth County Sheriff's
Department, Washington County Sheriff's
Department, Menomonee Falls Police
Department, and West Allis Police
Department, CITY OF KENOSHA, COUNTY
OF KENOSHA, COUNTY OF WAUKESHA,
COUNTY OF RACINE, COUNTY OF SAUK,
COUNTY OF WALWORTH, COUNTY OF
WASHINGTON, VILLAGE OF MENOMONEE
FALLS, CITY OF WEST ALLIS, and KYLE
RITTENHOUSE,

Defendants.

**DAVID G. BETH, KENOSHA COUNTY, WAUKESHA COUNTY, RACINE
COUNTY, SAUK COUNTY, WALWORTH COUNTY, AND WASHINGTON
COUNTY'S CIVIL LOCAL RULE 7(h) EXPEDITED NON-DISPOSITIVE MOTION
FOR LEAVE TO FILE A PRINCIPAL MEMORANDUM IN SUPPORT OF THEIR
MOTION TO DISMISS AMENDED COMPLAINT IN EXCESS OF THE
PAGE LIMIT SET FORTH IN CIVIL LOCAL RULE 7(f)**

Defendants David G. Beth, Kenosha County, Waukesha County, Racine County, Sauk County, Walworth County, and Washington County ("County Defendants"), by their attorneys Crivello Carlson, S.C., respectfully move the Court, the Honorable Lynn Adelman, presiding, pursuant to Civil Local Rule 7(h) for an Order permitting them to file a principal memorandum in support of their forthcoming motion to dismiss the Amended Complaint in excess of the page limit as set forth in Civil Local Rule 7(f). In support thereof, the County Defendants state as follows:

1. County Defendants have made every effort to prepare a concise brief in support of their anticipated Motion to Dismiss in accordance with Civil Local Rule 7(f). However, due to the nature of Plaintiff's claims, the County Defendants are raising several defenses and immunities, some of which require substantial analysis of relatively complex constitutional or statutory issues. Further, the County Defendants anticipate that they may raise multiple defenses seeking dismissal for certain claims.
2. Plaintiff has asserted fifteen (15) causes of action under both state and federal laws against thirteen (13) defendants (and John Does) in a 45-page Complaint. (*See* Dkt. No. 27.) The County Defendants plan to seek dismissal of most, if not all, of the claims

against them. Given the number of causes of action that must be addressed, the County Defendants anticipate that they will exceed the 30-page limit established in Civil Local Rule 7(f) even if they present their arguments as concisely as possible.

3. Because of the nature of the applicable analyses and the facts alleged by Plaintiff in support of his claims, the Court should permit the County Defendants to submit a principal memorandum in support of their motion to dismiss that exceeds the 30-page limit set forth in Civil Local Rule 7(f).

4. The Defendants respectfully request that the Court enter an Order granting them leave to file a principal memorandum of up to 55 pages.

WHEREFORE, Defendants David G. Beth, Kenosha County, Waukesha County, Racine County, Sauk County, Walworth County, and Washington County respectfully request leave to file a principal memorandum in support of a motion to dismiss that exceeds the limit set forth in Civil Local Rule 7(f) but that is no longer than 45 pages.

Dated this 8th day of March, 2022.

By: /s/ Sara C. Mills
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